



PTO/SB/21 (08-00)

**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/678,084
	Filing Date	October 6, 2003
	First Named Inventor	Kenji KASAHARA et al.
	Group Art Unit	2823
	Examiner Name	F. Toledo
Total Number of Pages in This Submission	Attorney Docket Number	0756-7205

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form ☐ Fee Attached ☒ Amendment / Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Response to Missing Parts/Incomplete Application ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53	☐ Assignment Papers (for an Application) ☐ Drawing(s) ☐ Declaration and Power of Attorney ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____	☐ After Allowance Communication to Group ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☐ Other Enclosures 1. 2. 3. 4. 5. 6.
Remarks ☒ The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165
Signature	
Date	August 15, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.			
Type or printed name	Adele M Stamper		
Signature	Adele M Stamper	Date	August 15, 2005

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Attorney Docket No. 0756-7205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kenji KASAHARA et al.

Serial No. 10/678,084

Filed: October 6, 2003

For: SEMICONDUCTOR DEVICE AND
METHOD OF FABRICATING
THEREOF

) Group Art Unit: 2823

) Examiner: F. Toledo

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) 2005.

) Adrian M. Stampu

RESPONSE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Official Action mailed June 14, 2005, has been received and its contents carefully noted. This response is filed within two months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

Claims 1-24 are pending in the present application, of which claims 1, 4, 7, 10, 13, 16 and 19-24 are independent. The Applicants note with appreciation the allowance of at least claims 1-18 (page 2, Paper No. 20050610).

The Official Action asserts that "claims 19-24 are a different patentable species as stated by Applicant" (Id., emphasis added). The Applicants respectfully disagree. A chart was presented on page 13 of the *Amendment* filed December 21, 2004, which compared claims 1-24 of parent application Serial No. 09/847,596 with the claims of U.S. Patent No. 6,746,901, which issued from the '596 application, and with the claims of the present '084 application. Claims 19-24 of the present '084 application are not included in the chart at page 13 of the *Amendment* filed December 21, 2004. It appears that the Examiner may have inadvertently confused claims 19-24 of the present '084

application with claims 19-24 from the '596 application. At no point in prosecution have the Applicants stated or intended for claims 19-24 to be part of a different patentable species. The Applicants respectfully submit that claims 19-24 of the present application belong to the same group of claims as claims 1-18 and are allowable for the same reasons claims 1-18 are allowable. Therefore, claims 1-24 are believed to be in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
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